

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**Charles Everett Cook, Sylvia Mae Cook,  
and Timothy Blake Cook, natural persons,**

**Court File No.: 06-0022 (DWF/AJB)**

**Plaintiffs,**

**v.**

**City of Minneapolis, a municipal entity;  
Minneapolis Police Officer Mark Johnson,  
Badge #003459, in his individual, personal  
and official capacity; Sgt. D. Smulski, in his  
individual, personal and official capacity;  
Officer K. Blackwell, in his individual,  
personal and official capacity; Officer  
Geoffrey Toscano, Badge #007257, in his  
individual, personal and official capacity;  
Officer Bevan Blauert, Badge #003459, in  
his individual, personal and official  
capacity; Officer Jon Petron, Badge #4671,  
in his individual, personal and official  
capacity; Officer Christopher House, Badge  
#3165, in his individual, personal and  
official capacity; Sgt. Robert Kroll, Badge  
#003874, in his individual, personal and  
official capacity; Officer Christie Nelson,  
Badge #4959, in his individual, personal and  
official capacity; Officer William Willner,  
Badge #7783, in his individual, personal and  
official capacity; Officer Westlund, Badge  
#7674, in his individual, personal and  
official capacity; Officer Roger Smith,  
Badge #006689; Officer Jason King, Badge  
#003704, in his individual, personal and  
official capacity; Officer Timothy Hands,  
Badge #002660, in his individual, personal  
and official capacity; and Officers Jane Doe  
and Richard Roe, unknown and unnamed  
Minneapolis Police Officers, in their  
personal, individual, and official capacities,**

**AFFIDAVIT OF TRACEY NELSON  
IN SUPPORT OF MOTION FOR  
PARTIAL SUMMARY JUDGMENT**

**Defendants.**

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1. She is an Assistant City Attorney employed by the City of Minneapolis.

3. Attached hereto as Exhibit 1 is a true and correct copy of Minneapolis Department report relating to the incident that occurred at 3845 2<sup>nd</sup> Ave. S. on May 13, 2005.

5. Attached hereto as Exhibit 3 is a true and correct copy of pages from the deposition of Officer Jeffrey Toscano given in the above-entitled matter.

6. Attached hereto as Exhibit 4 is a true and correct copy of pages from the deposition of Officer Jon Petron given in the above-entitled matter.

7. Attached hereto as Exhibit 5 is a true and correct copy of pages from the deposition of Officer Christopher House given in the above-entitled matter.

8. Attached hereto as Exhibit 6 is a true and correct copy of pages from the deposition of Charles Cook given in the above-entitled matter.

9. Attached hereto as Exhibit 7 is a true and correct copy of pages from the deposition of Sylvia Mae Cook given in the above-entitled matter.

10. Attached hereto as Exhibit 8 is a true and correct copy of pages from the deposition of Timothy Cook given in the above-entitled matter.

Further Affiant sayeth naught

Subscribed and sworn to  
before me this 12<sup>th</sup> day  
of March, 2007.

/s/ Tracey Nelson

/s/ Helen Peters

Notary Public

My Commission expires: